



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|-----------------------------|------------------------|
| 10/765,720 | 01/26/2004 | Gilad Odinak | INTL-1-1039 | 2555 |
| 25315 7590 11/02/2007 BLACK LOWE & GRAHAM, PLLC 701 FIFTH AVENUE SUITE 4800 SEATTLE, WA 98104 | | | EXAMINER ZEWARI, SAYED T | |
| | | | ART UNIT 2617 | PAPER NUMBER |
| | | | MAIL DATE 11/02/2007 | DELIVERY MODE PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/765,720

Applicant(s)

ODINAK, GILAD

Examiner

Sayed T. Zewari

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 22 August 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 5-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 5-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

Response to Amendment

1. Applicant's arguments filed on 8/22/2007 have been fully considered but they are not persuasive.

2. Applicant's arguments stating that

With regards to currently amended claims 5-7, Larsson neither teaches nor describes the communication between embedded phones and cellular phones that overcome the security issues known to exist with Bluetooth technology.

is not persuasive. Larsson discloses a system wherein a phone in a vehicle uses the personal account of a mobile user, similar to applicant's invention. The security issues of Bluetooth are an unrelated matter to the applicant's claimed invention.

3. Applicant's arguments stating that

Larsson doesn't teach, or describe, or suggest communicating with a wireless network access authority, sending mobile subscriber identification numbers to the wireless network access authority, transmitting authentication requests, receiving authentication responses, receiving access authority signals....

is not persuasive. Larsson discloses the above limitations. Larsson discloses a system wherein a phone in a vehicle uses the personal account of a cellular mobile user. This

Art Unit: 2617

system connects to a cellular network and therefore performs all the essential steps of sending identification, authentication request, receiving authentication response, and network access authority.

DETAILED ACTION

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 5-7 are rejected under 35 U.S.C. 102(e) as being anticipated by Larsson et al. (US 6,697, 638).

With respect to claim 5, Larsson discloses a method of at least temporarily adopting a services plan of a personal mobile phone for use on an embedded phone located in a vehicle (**See Larsson's abstract, col.1 lines 7-41, 44-55, figure 1, col.2 lines 19-62, figure 2, col.3 lines 24-50, figure 4, col.3 lines 45-67, col.4 lines 1-20, figure 12, col.5 lines 58-67, col.6 lines 1-15, col.7 lines 10-11, lines 18-25**), the method comprising: detecting the presence of the personal mobile phone by a wireless

Art Unit: 2617

signal exchanged between the personal mobile phone and the embedded phone (**See Larsson's abstract, figure 3, 4, col.3 lines 24-67, col.4 lines 1-20**); providing a prompt through the embedded phone, the prompt including at least a human-perceptible inquiry about whether to use the service plan of the detected personal mobile phone with the embedded phone (**See Larsson's col.5 lines 9-29**); receiving a mobile subscriber identification number from the detected personal mobile phone (**See Larsson's abstract, col.5 lines 58-67, col.6 lines 1-15, col.7 lines 10-11, lines 18-25**); transmitting the mobile subscriber identification number from the embedded phone to a wireless network access authority (**See Larsson's abstract, col.5 lines 58-67, col.6 lines 1-15, col.7 lines 10-11, lines 18-25, col.7 lines 10-11**); transmitting an authentication request from the network access authority to the embedded phone (**See Larsson's abstract, col.5 lines 58-67, col.6 lines 1-15, col.7 lines 10-11, lines 18-25, col.7 lines 10-11**); transmitting the authentication request from the embedded phone to the personal mobile phone (**See Larsson's abstract, figure 3-5, col.3 lines 24-67, col.4 lines 1-20**); transmitting a session key from the embedded phone to the wireless network access authority (**See Larsson's abstract, col.5 lines 58-67, col.6 lines 1-15, col.7 lines 10-11, lines 18-25, col.7 lines 10-11**); receiving an access authority signal from the wireless network access authority to open a communication session between the embedded phone and the detected personal mobile phone (**See Larsson's abstract, col.5 lines 58-67, col.6 lines 1-15, col.7 lines 10-11, lines 18-25, col.7 lines 10-11 figure 5, figure 3-5, col.3 lines 24-67, col.4 lines 1-20**); and opening the communication session between the embedded phone and the detected personal

Art Unit: 2617

mobile phone such that the embedded phone operates using account information from the detected personal mobile phone (**See Larsson's abstract, col.5 lines 58-67, col.6 lines 1-15, col.7 lines 10-11, lines 18-25, col.7 lines 10-11 figure 5, figure 3-5, col.3 lines 24-67, col.4 lines 1-20**);

With respect to claim 6, Larsson discloses an embedded phone within a vehicle (**See Larsson's abstract, col.1 lines 7-41, 44-55, figure 1, col.2 lines 19-62, figure 2, col.3 lines 24-50, figure 4, col.3 lines 45-67, col.4 lines 1-20, figure 12, col.5 lines 58-67, col.6 lines 1-15, col.7 lines 10-11, lines 18-25**), comprising: an internal communication component configured to detect a personal mobile phone with the embedded phone, and to query for instructions about using a service associated with the detected mobile phone (**See Larsson's abstract, figure 3, 4, col.3 lines 24-67, col.4 lines 1-20**); and an external communication component configured to receive approved instructions for using the service associated with the detected mobile phone, configured to receive a mobile subscriber identification number from the detected personal mobile phone (**See Larsson's abstract, col.5 lines 58-67, col.6 lines 1-15, col.7 lines 10-11, lines 18-25**), to send the mobile subscriber identification number to a wireless network access authority, to receive an authentication request from the wireless network access authority (**See Larsson's abstract, col.5 lines 58-67, col.6 lines 1-15, col.7 lines 10-11, lines 18-25, col.7 lines 10-11**); to send the authentication request to the detected personal mobile phone, to receive an authentication response from the detected personal mobile phone (**See Larsson's abstract, col.5 lines 58-67, col.6 lines 1-15, col.7 lines 10-11, lines 18-25, col.7**

Art Unit: 2617

lines 10-11); to send a session key to the wireless network access authority, and upon receipt of the session key by the wireless network access authority, to operate the detected mobile phone via the embedded phone using the service associated with the detected mobile phone (**See Larsson's abstract, col.5 lines 58-67, col.6 lines 1-15, col.7 lines 10-11, lines 18-25, col.7 lines 10-11 figure 5, figure 3-5, col.3 lines 24-67, col.4 lines 1-20**).

With respect to claim 7, Larsson discloses a vehicle, comprising:
an embedded phone operable to : announce the detection of a personal mobile phone and to query for instructions about using a service associated with the detected mobile phone and upon receipt of the instructions (**See Larsson's col.5 lines 9-29**); receive a mobile subscriber identification number from the detected personal mobile phone, receive a mobile subscriber identification number from the detected personal mobile phone (**See Larsson's abstract, col.5 lines 58-67, col.6 lines 1-15, col.7 lines 10-11, lines 18-25**), send the mobile subscriber identification number to a wireless network access authority, to receive an authentication request from the wireless network access authority (**See Larsson's abstract, col.5 lines 58-67, col.6 lines 1-15, col.7 lines 10-11, lines 18-25, col.7 lines 10-11**); send the authentication request to the detected personal mobile phone, receive an authentication response from the detected personal mobile phone (**See Larsson's abstract, col.5 lines 58-67, col.6 lines 1-15, col.7 lines 10-11, lines 18-25, col.7 lines 10-11**); send a session key to the wireless network access authority, and upon receipt of the session key by the wireless network access authority, to operate the detected mobile phone via the embedded phone using the

service associated with the detected mobile phone (**See Larsson's abstract, col.5 lines 58-67, col.6 lines 1-15, col.7 lines 10-11, lines 18-25, col.7 lines 10-11 figure 5, figure 3-5, col.3 lines 24-67, col.4 lines 1-20).**

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

7. A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sayed T. Zewari whose telephone number is 571-272-6851. The examiner can normally be reached on 8:30-4:30.

9. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester G. Kincaid can be reached on 571-272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2617

10. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Sayed T. Zewari

October 17, 2007



LESTER G. KINCAID
SUPERVISORY PRIMARY EXAMINER